

U.S. Department of Justice



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United States Attorney
Southern District of New York

86 Chambers Street
New York, New York 10007

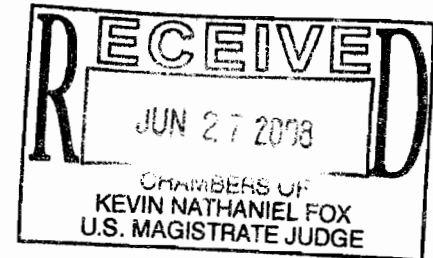
MEMO ENDORSED

June 27, 2008

BY FAX

Honorable Kevin N. Fox
United States Magistrate Judge
United States Courthouse
500 Pearl Street, Room 530
New York, New York 10007-1312

Re: Juan J. Alvarez v. Astrue
07 CV 8167 (GBD) (KNF)



Dear Judge Fox:

This Office represents the Commissioner of Social Security, defendant in this action. I write respectfully to inform the Court of recent events and to request an extension of defendant's time to move with respect to the complaint.

Pursuant to the Court's order, defendant's motion for judgment on the pleadings is due today, June 27, 2008. The Commissioner has agreed to remand this case for further administrative proceedings. I sent a proposed stipulation for remand to plaintiff, who is proceeding pro se, on May 14, 2008, but it has not yet been returned. I sent a second copy of the proposed stipulation today. To allow plaintiff time to consider the proposed remand, I respectfully request that the time in which to file and serve defendant's motion be extended by thirty days, to July 28, 2008. I have attempted to contact plaintiff by telephone to ask for his consent to this request but he has not yet returned my call.

Thank you for your consideration of this matter.

6/27/08

On or before July 11, 2008,
the defendant shall serve
and file his motion. The
plaintiff's response to the motion
shall be served and filed
on or before August 11, 2008.
Any reply shall be served and
filed on or before September 2,
2008.

SO ORDERED:

/Kevin Nathaniel Fox, U.S.M.J.

cc: Juan J. Alvarez, Pro Se

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By:

Susan C. Branagan

SUSAN C. BRANAGAN
Assistant United States Attorney
Telephone: (212) 637-2804
Fax: (212) 637-2750